

Notice of Allowability	Application No.	Applicant(s)	
	09/298,282	SEZAN ET AL.	
	Examiner	Art Unit	
	Scott Beliveau	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 27 July 2005.
2. ☒ The allowed claim(s) is/are 1-6,8-12 and 14 (renumbered as 1-12).
3. ☒ The drawings filed on 15 October 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 2, and 8-11 have been fully considered and are persuasive. The objection of claims 2 and 8 and the rejection of claims 8-11 have been withdrawn.

Allowable Subject Matter

2. Claims 1-6, 8-12, and 14 are allowed.
3. The following is a statement of reasons for the indication of allowable subject matter:
The application is allowable for the reasons set forth pursuant to decision of the Board of Patent Appeals and Interferences on 30 November 2004 which is hereby incorporated by reference.

With respect to claim 1 (previously presented claim 7), as set forth in the Board's decision claim 1 requires that the claimed "defined format" be a universal format that covers both event and object based content identification. As interpreted by the Board, the references only teach the usage of a format to identify events, and as such the reference do not teach the usage of a single or defined format to cover both event and object based content identification.

With respect to claim 8, as set forth in the Board's decision, the language of claim 8 requires the usage of an "interference engine" ordinarily defined as "the part of a rule-based expert system that makes logical inferences or decisions". As interpreted by the Board, the claim requires a specific type of knowledge-based system that includes an interference

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engine that is different from the “knowledge-based system” of Sezan et al. which makes decisions as to which highlights to utilize in constructing a program summary (Sezan et al.: Col 8, Lines 30-37). Furthermore, the Board of Patent Appeals and Interferences sets forth that the claims also require separate and distinctive short-term and long-term memory components, as opposed to a single memory element that performs both short-term and long-term storage presented in the prior grounds of rejection under Sezan et al., and that it would not have been obvious for one skilled in the art to recognize that the singly illustrated memory component of Sezan et al. could be broken into both short-term and long-term components.

With respect to the rejection of claim 12, as set forth in the Board’s decision, the claim language requires the usage of an “interference engine” ordinarily defined as “the part of a rule-based expert system that makes logical inferences or decisions”. As interpreted by the Board, the claim requires a specific type of knowledge-based system that includes an interference engine which is different from the “knowledge-based system” of Sezan et al. which makes decisions as to which highlights to utilize in constructing a program summary (Sezan et al.: Col 8, Lines 30-37).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Beliveau whose telephone number is 571-272-7343. The examiner can normally be reached on Monday-Friday from 8:30 a.m. - 6:00 p.m..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Scott Beliveau
Examiner
Art Unit 2614

SEB
August 26, 2005



JOHN MILLER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600